

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:
REMI GUNN
Debtor.

Case 3:15-bk-341-PMG
Chapter 7

PROOF OF SERVICE

Description of Document • ORDER DISMISSING PETITION AND SCHEDULING EVIDENTIARY HEARING ON REMAINING PENDING MATTERS [Doc.#30]

Date of Service • May 7, 2015

I CERTIFY that a copy of the Document described above has been served on Date set forth above by U.S. Mail, first class, postage prepaid on the following: Petitioner, James M. Thompson | 5631 SE Laguna Avenue | Stuart, Florida 34997.

By: /s/ Richard A. Perry
RICHARD A. PERRY
Florida Bar Number 394520
820 East Fort King Street
Ocala, Florida 34471-2320
352-732-2299
richardperry @ richard-a-perry.com
Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re:	Case 3:15-bk-341-PMG
REMI GUNN	Chapter 7
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**ORDER DISMISSING PETITION
AND SCHEDULING EVIDENTIARY HEARING
ON REMAINING PENDING MATTERS**

This case came before the Court for a pretrial hearing on an involuntary petition [Doc.#1] (the “Involuntary Petition”) filed by James M. Thompson (“Petitioner”) pursuant to a Pretrial Order dated February 20, 2015 [Doc.#5] (the “Pretrial Order”). Petitioner did not appear at the hearing to prosecute this case. Counsel for Debtor notified the Court that Petitioner has not conferred with counsel for Debtor for the purpose of filing a Joint Pretrial Statement, or participated in the preparation and filing of a Joint Pretrial Statement as required by the Pretrial Order. However, Counsel for Debtor notified the Court that Petitioner left a telephone message at his office indicating he no longer desired to proceed on the Involuntary Petition. In addition, the Court notes the Petitioner has filed a motion to dismiss the case [Doc.#28].

Debtor, Remi Gunn, through counsel, made an *ore tenus* motion (the “Motion”) at the hearing due to the inaction of the Petitioner. Debtor seeks the following relief under the Motion: Dismissal of the Involuntary Petition due to lack of prosecution; Termination of the automatic stay; Reservation of jurisdiction by the Court to determine whether, and to the extent, Debtor is entitled to the relief sought in her Answer to Involuntary Petition [Doc.#4] (the “Answer”); And, the scheduling of an evidentiary hearing to determine whether, and to the

extent, Debtor is entitled to the relief sought in her Answer.

It is ORDERED:

1. The Motion is granted.
2. The Involuntary Petition is dismissed and the automatic stay is terminated.
3. The Court reserves jurisdiction to determine whether, and to the extent, the Debtor is entitled to the relief sought in her Answer, including a money judgment against the Petitioner for costs, attorney fees, damages, and punitive damages; entry of an order sealing the court file; and, entry of an order prohibiting credit reporting agencies from reporting this a case.
4. A final evidentiary hearing to consider the relief sought in the Answer shall be held on July 8, 2015 at 2:30 pm at the Bryan Simpson United States Courthouse located at 300 North Hogan Street in Jacksonville, Florida on the Fourth Floor in Court Room 4A.

Dated May 6, 2015

pm. Glenn

PAUL M. GLENN
United States Bankruptcy Judge

Attorney Richard A. Perry is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.